



US Army Corps
of Engineers

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 26656N Benicia Marina Maintenance Dredging

DATE: June 30, 2003

RESPONSE REQUIRED BY: July 30, 2003

Regulatory Branch

333 Market Street

San Francisco, CA 94105-2197

PERMIT MANAGER: Clyde Davis

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1. INTRODUCTION: The City of Benicia (Mr. Michael W. Throne, Senior Civil Engineer, City of Benicia Public Works Department, 250 East L Street, Benicia, CA 94510) has applied for a ten-year Department of the Army permit to maintenance dredge the Benicia Marina on the Carquinez Strait, near the City of Benicia, Solano County, California. The purpose of the proposed dredging is to maintain safe and navigable access to the marina basin and slip facilities. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

2. PROJECT DESCRIPTION: The Benicia Marina is a public marina located on the Carquinez Strait approximately five miles upstream from Mare Island. As shown in the attached drawings, the applicant plans to remove approximately 60,000 cubic yards (cy) of sediment from the 18.43-acre (approximately) marina basin each year for a total of 600,000 cy over the life of the permit. Existing depths range from -7.1 to -11.9 feet mean lower low water (MLLW) in the outer channel, -7.4 to -8.5 feet MLLW in the inner channel, and -5.1 to -11.2 feet MLLW in the marina basin. The design depth for the outer channel is -10 feet MLLW plus an additional 1-foot overdredge allowance; for the inner channel, Turning Basin, Fuel dock, and A dock the design depth is -8 feet MLLW plus an additional 1-foot overdredge allowance; and for Docks B-F the design depth is -6 feet MLLW plus an additional 1-foot

overdredge allowance. The material would be removed using a barge-mounted excavator, clamshell crane or barge-mounted hydraulic pump and transported by barge to the Carquinez Strait Disposal Site (SF-9).

The marina was designed to provide a positive downward sloping bottom intended to transport suspended silt on the ebb tide toward the mouth of the entrance channel, where the strong current of the Carquinez Strait would carry it away. However the combined effect of runoff flows from the mountains and the configuration of the entrance channel breakwater results in eddies and currents at the mouth that slow the water velocity, causing the silt to drop out of suspension. This accumulation physically blocks the flow of silt out of the mouth. Once this accumulation begins, additional material continues to be deposited behind the blockage (called "the sandbar") and the depth of the water available for navigation diminishes rapidly. The outer channel sandbar forms quickly during the winter months. Many boaters report that in spite of maintenance dredging in the slip and berth areas, many vessel bows and dock floats continue to rest on the marina bottom during low tide. The applicant proposes to implement knockdown operations, in addition to the yearly maintenance dredging, to resolve this problem. Material would be plowed, pulled, or dragged from a rise to a valley by means of a metal sled or beam attached by cable to a motorized vessel. Cables fastened to the vessel would provide depth and

motion control. Plow speed and depth would be controlled to minimize sediment dispersal in the surrounding water. An alternative configuration would be to attach a beam to an excavator arm,

which would pull or push material to the desired location. Leveling the rises and humps would provide a uniform depth for sediment flow out of the mouth of the channel, reduce the height of the sandbar at the marina's entrance, and increase the freeboard underneath the docks and at the heads of each slip. Because the equipment is less massive, easier to mobilize and less costly to operate, knockdowns are less expensive and require substantially less planning than dredging does. The effect of such activities would disperse underwater mounds within the confines of the berth, marina or designated dredged material management unit for removal under a later dredging event.

Prior to each dredging episode, the Dredge Material Management Office (DMMO) will evaluate the sediments to be dredged for disposal or reuse suitability. The DMMO includes representatives from the U.S. Environmental Protection Agency, San Francisco Bay Conservation and Development Commission (BCDC), San Francisco Bay Regional Water Quality Control Board (RWQCB), and the U.S. Army Corps of Engineers (Corps). The DMMO is tasked with approving sampling and analysis plans in conformity with testing manuals, reviewing the test results and reaching consensus regarding a suitable disposition for the material.

3. STATE APPROVALS: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification before a Corps permit may be issued. The applicant has provided the Corps with evidence that he has submitted a valid request for State water quality certification to the San Francisco Bay Regional Water Quality Control Board. No Corps permit will be granted until the applicant obtains the required certification. A certification shall be deemed to have occurred if the State fails or refuses to act on a valid request for certification within 60 days after receipt, unless the District

Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issues that may be associated with this project should write

to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612, by the close of the comment period of this Public Notice.

The project is within the jurisdictional purview of the BCDC. The applicant will be required to obtain a permit from BCDC after the RWQCB has made a determination of water quality certification for this project.

4. ENVIRONMENTAL ASSESSMENT: The Corps of Engineers will assess the environmental impacts of the proposed project in accordance with the requirements of the National Environmental Policy Act (42 U.S.C. 4371 et. seq.), and pursuant to Council on Environmental Quality's Regulations 40 CFR 1500-1508, and USACE Regulations 33 CFR 230 and 325, Appendix B. Unless otherwise stated, this Environmental Assessment describes only the impacts (direct, indirect, and cumulative) resulting from activities within the jurisdiction of the Corps of Engineers. The documents used in the preparation of this Environmental Assessment are on file in the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California.

Endangered Species – There are a variety of federally listed animal species that may occur in the vicinity of the proposed project area and/or disposal area. Therefore, dredging and disposal will be performed during the work windows identified in the *Management Plan 2001*, Long Term Management Strategy for the Placement of Dredged Material in the San Francisco Bay, dated July 2001 (LTMS) as established by the existing Biological Opinions of the Resource agencies. However, if work is to be conducted outside of the work windows, the Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine

Fisheries Service as required by Section 7 of the Endangered Species Act.

The Corps has concerns regarding potential impacts to Pacific herring during its annual spawning season. The proposed maintenance dredging will occur within the traditional Pacific herring spawning grounds. As a result, the Corps will condition the permit (if issued) so that dredging will not be allowed during the peak of the spawning season.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposal would impact approximately 18.43 acres of EFH utilized by various species of sole, shark and rockfish. Our initial determination is that the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in California waters. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NOAA Fisheries.

5. EVALUATION OF ALTERNATIVES:

Evaluation of this activity's impact on the public interest will also include application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. 1344(b)). In particular, alternative disposal sites and beneficial reuses will be considered by the applicant to conform to the LTMS.

6. PUBLIC INTEREST EVALUATION:

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts that the proposed activity may have on the public interest requires a careful weighing of all those factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the

outcome of the general balancing process. That decision will reflect the national concern for both protection and utilization of important resources. All factors that may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

7. CONSIDERATION OF COMMENTS:

The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

8. SUBMISSION OF COMMENTS:

Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this Notice and should be forwarded so as to reach this office within the comment period specified on page one of this Notice. Comments should be sent to: Mr. Clyde Davis, Regulatory Branch. It is Corps policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Notice that a public hearing be held to consider this application. Requests for

public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this Notice, or by contacting Mr. Clyde Davis of our office at telephone (415) 977-8449 or by e-mail at clyde.r.davis@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided on request.